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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/668,580	09/23/2003	Aidan T. Hughes	60001.0026USD1/MS111814.3	2394
27488	7590	05/29/2008		
MERCHANT & GOULD (MICROSOFT)			EXAMINER	
P.O. BOX 2903			BADII, BEHRANG	
MINNEAPOLIS, MN 55402-0903				
			ART UNIT	PAPER NUMBER
			3694	
			MAIL DATE	DELIVERY MODE
			05/29/2008	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/668,580

**Applicant(s)**

HUGHES ET AL.

**Examiner**

BEHRANG BADII

**Art Unit**

3694

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 25 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 8-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SG/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

Applicant's election without traverse of claims 8-18 in the reply filed on 2/25/08 is acknowledged.

The requirement is still deemed proper and is therefore made FINAL. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claims 27-35 are hereby withdrawn from further consideration.

Applicant's arguments filed 10/30/2007 have been fully considered but they are not persuasive. Upon considering the arguments, there are other ambiguities that have to be addressed as discussed below.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It is unclear as to how a single computer-system ID is stored on the computer system and is generated during the installation of a software product on the computer system? That is, will the software read a hardware device identifier off of each and every hardware device and then concatenated them? If so, it is unclear as to how a piece of software can read data that is on the hardware. How are the identifiers embedded in each of the hardware devices? How is the software reading

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these numbers? How are the identifiers of the various hardware devices accessible to the software?

Further, the phrase, "wherein the single computer ID comprises a *variable number of bits* corresponding to the ability to differentiate multiple computer systems based on a particular component having a unique identifier, wherein the particular component is one of the plurality of components" is unclear. If the computer ID comprises a variable number of bits, then how is the computer ID unique? Is the ID changing? Is the ID constant? Also, it is unclear as to how this single computer ID comprising a variable number of bits corresponds to the ability to differentiate multiple computer systems based on a particular component having a unique identifier, wherein the particular component is one of the plurality of components?

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karp, USP 4,866,769, and further in view of Leyda, U.S. patent 5,867,730.

As per claim 8, Karp discloses a single computer system ID for identifying a computer system, wherein the single computer-system ID is stored on the computer system and is generated during the installation of a software product on the computer

system, wherein the single computer system ID represents the computer system plurality of components and wherein the single computer system ID comprises a variable number of bits corresponding to the ability to differentiate multiple computer systems based on a particular component having a unique identifier, wherein the particular component is one of the plurality of components (abstract). Karp does not disclose the computer system comprising a plurality of components, each component having a unique identifier wherein the single computer system ID comprises a plurality of hardware device identifier portions each hardware device identifier portion associated with a single component of the computer system. Leyda discloses the computer system comprising a plurality of components, each component having a unique identifier wherein the single computer system ID comprises a concatenation of the plurality of hardware device identifier portions each hardware device identifier portion associated with a single component of the computer system (abstract; col.6, 35-54). It would have been obvious to modify Karp to include the computer system comprising a plurality of components, each component having a unique identifier wherein the single computer system ID comprises a plurality of hardware device identifier portions each hardware device identifier portion associated with a single component of the computer system such as that taught by Leyda in order to have a system and method to aid in the installation and/or reinstallation of computer software in a simplified and automated manner (Leyda, col.1, 48-53).

Claim 9-18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Karp, USP 4,866,769, and Leyda, U.S. patent 5,867,730 as applied to claim 8 above,

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and further in view of Subler, USP 5,646,992 Kedeem, U.S. patent 6,845,428; Bodo, U.S. patent 6,480,925; Bondy et al., U.S. patent, 5,491,813; Dapper et al., U.S. patent application publication 2002/0106060 and Benson, IV et al., U.S. patent 6,081,752.

As per claim 9, Karp discloses a single computer system ID for identifying a computer system as disclosed above. Karp does not disclose the plurality of hardware device identifier portions identifying a plurality of hardware devices comprises **at least two members** (the following rejection includes all, and not **at least two members**) of a group comprising: a CD-ROM device portion identifying a CD-ROM device of the computer system; a disk adapter portion identifying a disk adapter of the computer system; a disk device portion identifying a disk device of the computer system; a display adapter portion identifying a display adapter of the computer system; a first drive serial portion identifying a disk drive of the computer system; a MAC address portion identifying a MAC address of the computer system; a processor serial number portion identifying a processor serial number of the computer system; a processor type portion identifying a processor type of the computer system; a RAM size portion identifying a RAM size of the computer system; and a SCSI adapter portion identifying a SCSI adapter of the computer system.

Leyda discloses a CD-ROM device portion identifying a CD-ROM device of the computer system (abstract; col.6, 35-54).

Subler et al. discloses wherein the CD-ROM device portion, the disk adapter portion, the disk device portion, the display adapter portion, the first serial drive portion, the MAC address portion, the processor serial number portion. the processor type

portion, the RAM size portion, and the SCSI adapter portion of the hardware ID are generated during the installation of the software product on the computer system (col.4, 55-64). Kedeem discloses a disk adapter portion identifying a disk adapter of the computer system (col.16, 61-67; col.17, 1-15). Bodo discloses a disk device portion identifying a disk device of the computer system (col.5, 25-35) and a first drive serial portion identifying a disk drive of the computer system (col.5, 25-35). Bondy et al. discloses a display adapter portion identifying a display adapter of the computer system (col.6, 7-17). Dapper et al. discloses a MAC address portion identifying a MAC address of the computer system (paragraph 609) and a processor serial number portion identifying a processor serial number of the computer system (paragraph 350). Benson, IV et al. discloses a processor type portion identifying a processor type of the computer system (col.7, 49-67; col.8, 1-33) and a RAM size portion identifying a RAM size of the computer system (col.50, 12-19 & col.65, 17-25). Leyda and Bodo disclose a SCSI adapter portion identifying a SCSI adapter of the computer system (Leyda: col.10,46-67; col.11, 1-15) (Bodo: fig's 1-5). Leyda and/or Kedem and/or Bodo suggest a hardware ID comprising a predetermined number of bits representing the plurality of components and wherein the hardware ID comprised a variable number of bits representing each portion of the hardware ID, the variable number of bits corresponding to the ability to differentiate multiple computer systems based on a particular component in the plurality of components (Leyda: table 2; Kedem: col.16, 61-67; col.17, 1-15; Bodo: col.4, 21-39; col.5, 25-35). It would have been obvious to modify Karp to include a disk adapter portion identifying a disk adapter of the computer system; a disk device

portion identifying a disk device of the computer system; a display adapter portion identifying a display adapter of the computer system; a first drive serial portion identifying a disk drive of the computer system; a MAC address portion identifying a MAC address of the computer system; a processor serial number portion identifying a processor serial number of the computer system; a processor type portion identifying a processor type of the computer system; a RAM size portion identifying a RAM size of the computer system; and a SCSI adapter portion identifying a SCSI adapter of the computer system such as taught by the references above in order for each part of the hardware system to be accounted for when a software is installed on the system to minimize the illegal use of software and hardware components.

As per claim 10-16 & 18, Karp discloses a single computer system ID for identifying a computer system as disclosed above. Karp does not disclose wherein the CD-ROM device portion comprises a hashing of a CD-ROM device identification string (hashing of data), the disk adapter portion comprising a hashing of disk adapter peripheral component interface (PCI) vendor and device identifications (hashing of data), the disk device portion comprising a hashing of a disk device identification string (hashing of data), the display adapter portion comprising a hashing of video adapter PCI vendor and device identifications (hashing of data), the first drive serial portion comprising a hashing of an operating system assigned serial number of a first partition (hashing of data), the MAC address portion comprising a hardware address of a network interface connecting the computer system to a shared network, the processor serial number portion comprises an identification of the manufacturer's serial number for



the processor of the computer system. Dapper et al. discloses wherein the CD-ROM device portion comprises a hashing of a CD-ROM device identification string (hashing of data) (paragraph 379), the disk adapter portion comprising a hashing of disk adapter peripheral component interface (PCI) vendor and device identifications (hashing of data) (paragraph 379), the disk device portion comprising a hashing of a disk device identification string (hashing of data) (paragraph 379), the display adapter portion comprising a hashing of video adapter PCI vendor and device identifications (hashing of data) (paragraph 379), the first drive serial portion comprising a hashing of an operating system assigned serial number of a first partition (hashing of data) (paragraph 379), the MAC address portion comprising a hardware address of a network interface connecting the computer system to a shared network (paragraph 609), the processor serial number portion comprises an identification of the manufacturer's serial number for the processor of the computer system (paragraphs 609). It would have been obvious to modify Karp to include the hashing of data such as that taught by Dapper et al. in order to improve the time searched for the data when finding and retrieving the data from a database.

As per claim 17. Karp discloses a single computer system ID for identifying a computer system as disclosed above. Karp does not disclose wherein the RAM size portion comprises the size of the RAM in the computer system in megabytes. Benson, IV et al. discloses wherein the RAM size portion comprises the size of the RAM in the computer system in megabytes (col. 38-44). It would have been obvious to modify Karp to include the RAM size portion comprising the size of the RAM in the computer system

in megabytes in order to the RAM size to be used as one of several identifying parts of the systems when a software is to be installed.

As per claim 18, Leyda and Bodo further disclose wherein the SCSI adapter portion comprises an identification of the Small Computer Systems Interface (SCSI) adapter of the computer system (Leyda: col.10, 46-67; col.11, 1-15) (Bodo: fig's 1-5) as per the motivation given above.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Behrang Badii whose telephone number is 571-272-6879. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

**Any response to this action should be mailed to:**

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Hand delivered responses should be brought to

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Any inquiry of a general nature or relating to the status of this application  
or proceeding should be directed to the Technology Center 3600 Customer Service  
Office whose telephone number is **(571) 272-3600**.

Behrang Badii  
Patent Examiner  
Art Unit 3621

BB

/James P Trammell/  
Supervisory Patent Examiner, Art Unit 3694